

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

The Adam Group, Inc. of Middle Tennessee,)	
)	Case No. 3:13-cv-0258
Plaintiff,)	
)	Judge Sharp
v.)	Magistrate Judge Bryant
)	
Daniel Christopher Tunnell, et al.,)	
)	
Defendants)	

DENIAL OF DEFAULT

Pending is Plaintiff's Application for Entry of Default (Docket Entry No. 63) against Defendants. The application is denied as Defendants have filed an Answer (Docket Entry No. 67). Though the Answer was filed beyond the time period permitted by law, the Clerk declines to enter default. The Defendants are represented by counsel and actively involved in defending the case. Absent a showing of prejudice, which was not pled by the Plaintiff and is not found by the Clerk, default will not be entered. Default is not to be granted lightly. "Judgment by default is a drastic step which should be resorted to only in the most extreme cases." *United Coin Meter Co., Inc. v. Seaboard Coastline RR.* 705 F.2d 839 (6thCir.1983).

s/ Keith Throckmorton
Keith Throckmorton
Clerk of Court